**FESI Response to TRIS Notification 2025/0431/FR (France) – Decree on the Prevention of Risks from PFAS Exposure**

**Date:**XXXXXXX
**Submitted to:** European Commission TRIS System

**Reference:** TRIS Notification 2025/0431/FR

**1. Introduction**

The Federation of the European Sporting Goods Industry (FESI), representing Europe’s leading sporting goods and outdoor brands, fully supports the timely and effective phasing out of **per- and polyfluoroalkyl substances (PFAS)** in products where alternatives are available and technically feasible.

However, we believe that such measures should be implemented **at EU level under the current REACH restriction process** rather than through **national pre-emptive legislation**. Fragmented national rules risk undermining the EU internal market, creating legal uncertainty, and placing disproportionate burdens on businesses operating across borders.

**2. Summary of the French Measure**

* Implements **Law No. 2025-188** prohibiting, from **1 January 2026**, the manufacture, import, export, and placing on the market of PFAS-containing cosmetics, ski wax, textiles, footwear, and certain waterproofing agents.
* Defines **PFAS concentration thresholds** (25 ppb, 250 ppb, 50 ppm depending on measurement type and polymer inclusion).
* Establishes **exemptions** for PPE, armed forces/security uses, and PPE waterproofing agents (2026), and for technical textiles and essential use textiles without alternatives (2030).

**3. FESI’s Key Concerns**

**a. Risk to the Internal Market**

* The proposed national measure **pre-empts the ongoing EU REACH restriction** on PFAS, currently under assessment by the European Chemicals Agency.
* Divergent national rules will **fragment the internal market**, hinder the free movement of goods (Article 34 TFEU), and create barriers to trade within the EU.

**b. Timelines and Legal Uncertainty**

* The ban is due to apply from **1 January 2026**, leaving insufficient time for industry adaptation, particularly as the **final implementing decrees**, which will define exemptions and technical details, are **still under consultation and will be published only in December 2025**.
* Without clarity on scope, testing requirements, and analytical methods, companies face significant operational and compliance risks.

**c. Impact on Global Supply Chains**

* Many sporting goods and outdoor brands operate within **complex, global supply chains**. Pre-emptive national restrictions risk forcing **dual compliance systems** for France and the rest of the EU, increasing costs and administrative burdens without environmental benefits beyond what the REACH process will deliver.

**4. FESI’s Recommendations**

1. **Align with the REACH Restriction Process**
	* We urge France to **defer national implementation** until the EU-wide PFAS restriction under REACH is finalised, ensuring harmonised rules across all Member States.
2. **Ensure Regulatory Certainty**
	* Full legal and technical details, including **clear analytical methods**, must be published well in advance of any compliance deadline to allow industry adequate adaptation time.
3. **Avoid Disproportionate Burdens**
	* Consider realistic transition periods aligned with supply chain realities, especially for **technical and performance-based products** with longer redesign and testing cycles. Lead times for clothing and footwear production are at least 18 months.

**5. Conclusion**

FESI and its members are committed to **phasing out PFAS** in a safe, effective, and harmonised manner. We strongly support the **EU REACH restriction** as the appropriate legislative instrument to achieve this goal while safeguarding the **integrity of the EU internal market**.

We therefore respectfully request that the European Commission and the French authorities take these concerns into account and ensure that any national measures are fully aligned with EU law, proportionate, and provide sufficient lead time for compliance.